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10/720,235	11/25/2003	In-Heum Park	P24477	4354

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EXAMINER

ENGLE, PATRICIA LYNN

ART UNIT PAPER NUMBER

3612

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/720,235

Applicant(s)

PARK ET AL.

Examiner

Patricia L Engle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/1/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because "is disclosed" should be changed or deleted. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1 and 2 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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6. The terms "a certain position" and "a certain angle" in claim 1 is a relative term which renders the claim indefinite. The term "a certain position" and "a certain angle" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. What are the certain position and the certain angle? How would one of ordinary skill in the art know what the certain position and certain angle are?

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Shibata et al. (US Patent 6,629,716, filed on June 27, 2002).

Shibata et al. disclose a stopper structure in a glove box, comprising: a box housing (20), which is installed at a certain position of an instrument panel (11), and, at which a longitudinal guide groove (32) is formed at its upper surface; a glove box (14,13) hinged (22) to a lower part of the box housing (20) to rotate at a certain angle to be opened/closed; a stopper (33) formed at an upper edge of an inside of the glove box (13) and inserted into the guide groove (33) to be moved along the guide groove to limit open/close displacement of the glove box; and a resiliently movable member (30) interposed between the glove box (13) and the stopper (33) to

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resiliently separate the stopper (33) from the guide groove (32) by an external force (applied to 35).

*Claim Rejections - 35 USC § 103*

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata et al. (US Patent 6,629,716, filed on June 27, 2002) in view of DePue (US Patent 5,845,945).

Shibata et al. disclose a stopper structure in a glove box, comprising: a box housing (20), which is installed at a certain position of an instrument panel (11), and, at which a longitudinal guide groove (32) is formed at its upper surface; a glove box (14,13) hinged (22) to a lower part of the box housing (20) to rotate at a certain angle to be opened/closed; a stopper (33) formed at an upper edge of an inside of the glove box (13) and inserted into the guide groove (33) to be

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moved along the guide groove to limit open/close displacement of the glove box; and a resiliently movable member (30) interposed between the glove box (13) and the stopper (33) to resiliently separate the stopper (33) from the guide groove (32) by an external force (applied to 35). Regarding claim 2, Shibata et al. disclose the stopper structure in a glove box according to claim 1, wherein the resiliently movable member comprises: a stopper holder (30) engaged with the upper edge of the inside of the glove box (13); a hinge pin (31) for hingeably connecting the stopper holder and the stopper; and a spring (36) to resiliently move the stopper with respect to the stopper holder.

Although the Examiner has stated that the box of Shibata is a glove box, it could be argued that the box is not a glove box. Although the box is used for holding objects (column 3, lines 47-48) it is not a traditional glove box. Shibata et al. disclose a box (14 and 13) which is opened to an intermediate position and a fully open position. Shibata et al. does not disclose that the box is a traditional glove box (claim 1). Shibata et al. also do not disclose that the spring that resiliently moves the stopper with respect to the stopper holder is wound to a peripheral edge of the hinge pin (claim 2).

DePue discloses a traditional glove box in which the glove box is opened to an intermediate position and a fully open position.

Shibata et al. and DePue are analogous art because they are from the same field of endeavor, i.e., boxes mounted on the dashboard which moved to an intermediate and fully open position.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to use the stopper of Shibata et al. on a traditional glove box.

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The motivation would have been to allow the glove box to move to an intermediate position and move to a fully open position with just the push of a button by the operator of the glove box.

Regarding claim 2, the Examiner is taking Official Notice that a torsion spring and a cantilevered plate spring are well known equivalents. The motivation for using a torsion spring in place of the plate spring would have been to make the assembly easier (the spring is placed on the pin when the stopper is joined to the box) and low cost. Torsion springs are common springs and therefore relatively inexpensive.

### *Conclusion*

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art discloses other glove boxes with stoppers.

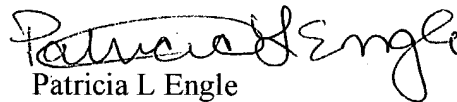
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L Engle whose telephone number is (703) 306-5777.

The examiner can normally be reached on Monday - Friday from 8:00 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patricia L Engle  
Examiner  
Art Unit 3612

ple  
July 20, 2004